

Eliot A. Adelson (SBN 205284)
James Maxwell Cooper (SBN 284054)
KIRKLAND & ELLIS LLP
555 California Street, 27th Floor
San Francisco, CA 94104
Telephone: (415) 439-1400
Facsimile: (415) 439-1500
Email: eadelson@kirkland.com
Email: max.cooper@kirkland.com

James H. Mutchnik, P.C. (*pro hac vice*)
Barack Echols (*pro hac vice*)
Kate Wheaton (*pro hac vice*)
KIRKLAND & ELLIS LLP
300 North LaSalle
Chicago, IL 60654
Telephone: (312) 862-2000
Facsimile: (312) 862-2200
Email: jmutchnik@kirkland.com
Email: bechols@kirkland.com
Email: kate.wheaton@kirkland.com

Attorneys for Defendants
HITACHI DISPLAYS, LTD. (n/k/a JAPAN
DISPLAY INC.), HITACHI AMERICA, LTD.,
AND HITACHI ELECTRONIC DEVICES
(USA), INC.

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

IN RE: CATHODE RAY TUBE (CRT)
ANTITRUST LITIGATION

Case No. Master File No. 3:07-cv-05944-SC
MDL NO. 1917

This Document Relates to:

All Indirect Purchaser Actions

*Electrograph Systems, Inc., et al. v. Hitachi,
Ltd., et al.*, No. 3:11-cv-01656-SC;

*Alfred H. Siegel as Trustee of the Circuit City
Stores, Inc. Liquidating Trust v. Hitachi, Ltd., et
al.*, No. 3:11-cv-05502-SC;

**DECLARATION OF ELIOT A.
ADELSON IN SUPPORT OF HITACHI
PARTIES' NOTICE OF MOTION AND
MOTION FOR SUMMARY JUDGMENT
BASED UPON THE LACK OF
EVIDENCE OF PARTICIPATION IN
THE ALLEGED CONSPIRACY AND
MEMORANDUM OF POINTS AND
AUTHORITIES IN SUPPORT THEREOF**

REDACTED VERSION OF DOCUMENT SOUGHT TO BE SEALED

ADELSON DECLARATION RE HITACHI'S MOTION FOR
SUMMARY JUDGMENT RE THE LACK OF EVIDENCE OF
PARTICIPATION

CASE No.: 3:07-cv-05944-SC
MDL No.: 1917

1 *Best Buy Co., Inc., et al. v. Hitachi, Ltd., et al.*,
2 No. 3:11-cv-05513-SC;

3 *Target Corp, et al. v. Chunghwa Picture Tubes,*
4 *Ltd., et al.*, No. 3:11-cv-05514-SC;

5 *Sears, Roebuck and Co. and Kmart Corp. v.*
6 *Chunghwa Picture Tubes, Ltd.*, No. 3:11-cv-
05514-SC

7 *Interbond Corporation of America, d/b/a*
8 *BrandsMart USA v. Hitachi, et al.*,
No. 3:11-cv-06275-SC;

9 *Office Depot, Inc. v. Hitachi, Ltd., et al.*,
10 No. 3:11-cv-06276-SC;

11 *CompuCom Systems, Inc. v. Hitachi, Ltd.,*
12 *et al.*, No. 3:11-cv-06396-SC;

13 *Costco Wholesale Corporation v. Hitachi,*
14 *Ltd., et al.*, No. 3:11-cv-06397-SC;

15 *P.C. Richard & Son Long Island Corporation, et*
16 *al. v. Hitachi, Ltd., et al.*, No. 3:12-cv-02648-SC;

17 *Schultze Agency Services, LLC on behalf of*
18 *Tweeter OPCO, LLC and Tweeter Newco, LLC v.*
19 *Hitachi, Ltd., et al.*, No. 3:12-cv-02649-SC;

20 *Tech Data Corporation, et al. v. Hitachi,*
21 *Ltd., et al.*, No. 3:13-cv-00157-SC

1 I, Eliot A. Adelson, declare as follows:

2 1. I am an attorney licensed to practice in the State of California and the Northern
3 District of California. I am a partner with the firm of Kirkland & Ellis LLP, and counsel for Hitachi
4 America, Ltd., Hitachi Displays, Ltd. (n/k/a Japan Display Inc.), and Hitachi Electronic Devices
5 (USA), Inc. (collectively, the "Hitachi Parties"). I submit this Declaration in Support of Hitachi
6 Parties' Notice of Motion and Motion for Summary Judgment Based Upon the Lack of Evidence of
7 Participation in the Alleged Conspiracy and Memorandum of Points and Authorities in Support
8 Thereof. Except for those matters stated on information and belief, about which I am informed and
9 which I believe to be true, I have personal knowledge of the matters set forth herein, and could and
10 would testify competently to each of them.

11 2. Attached as Exhibit 1 to this Declaration is a true and correct copy of the Declaration
12 of Katsuyuki Kawamura in support of the Hitachi Defendants' Evidentiary Proffer filed on
13 December 7, 2010, ECF No. 820, in the matter *In Re Cathode Ray Tube (CRT) Antitrust Litigation*,
14 Case No. 07-5944, United States District Court, Northern District of California.

15 3. [REDACTED]
16 [REDACTED]
17 [REDACTED]
18 [REDACTED]

19 4. [REDACTED]
20 [REDACTED]
21 [REDACTED]
22 [REDACTED]

23 5. [REDACTED]
24 [REDACTED]
25 [REDACTED]
26 [REDACTED]

27 6. [REDACTED]
28 [REDACTED]

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

[REDACTED]

[REDACTED]

7. [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

8. Attached as Exhibit 7 to this Declaration is a true and correct copy of the Declaration of L. Thomas Heiser in support of the Hitachi Defendants' Evidentiary Proffer filed on December 7, 2010, ECF No. 825, in the matter *In Re Cathode Ray Tube (CRT) Antitrust Litigation*, Case No. 07-5944, United States District Court, Northern District of California.

9. Attached as Exhibit 8 to this Declaration is a true and correct copy of the Declaration of Tillie Lim in support of the Hitachi Defendants' Evidentiary Proffer filed on December 7, 2010, ECF No. 823, in the matter *In Re Cathode Ray Tube (CRT) Antitrust Litigation*, Case No. 07-5944, United States District Court, Northern District of California.

10. [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

11. [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

12. [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

13. [REDACTED]

[REDACTED]

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

14.

15.

16.

17.

18.

19.

20.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

21.

22.

23.

24.

25.

26.

27.

1 I declare under penalty of perjury under the laws of the United States of America that the
2 foregoing is true and correct.

3 DATED: November 7, 2014

By: /s/ Eliot A. Adelson

4 Eliot A. Adelson
5 James Maxwell Cooper
6 KIRKLAND & ELLIS LLP
7 555 California Street, 27th Floor
8 San Francisco, CA 94104
9 Telephone: (415) 439-1400
10 Facsimile: (415) 439-1500
11 Email: eadelson@kirkland.com
12 Email: max.cooper@kirkland.com

13 Attorneys for Defendants
14 HITACHI DISPLAYS, LTD. (n/k/a JAPAN
15 DISPLAY INC.), HITACHI AMERICA,
16 LTD., AND HITACHI ELECTRONIC
17 DEVICES (USA), INC.